

REMARKS

All 112 rejections are overcome by specifically listing the elements referred to. All prolixity is eliminated and specificity is gained.

The subject Action, Paper No. 6, on page 9, B, para. 1 calls for "specific detail" about the "bearing". Specific detail is clarified as a "low friction" bearing as is already in the claims. The Action describes in page 10, B, para. 4, line 2 "the need for a low friction, multi-function support." This parrots that wording previously placed into the case about existing claim content by applicant. Thus, it is not new matter. It has always been in the claims. It is just now clarified.

All 102 and 103 rejections are overcome by the addition of the words "low friction" to the element recitation of "at least one bearing". As said in previous amendments the prior art does not suggest, nor teach nor exhibit the least motivation to use a "low friction" bearing in railroad trucks. Neither is there the suggestion, nor teaching, nor any motivation exhibited by the prior art to change trucks in the railyard, as so taught by the instant specification. All prior art truck changes occur in the shop with cranes lifting the railcars off the trucks.

THE PRIOR ART CANNOT "separably support railcars in the railyard." It is entirely impossible. They can only do so in the shop. For all intents and purposes, the prior art trucks and cars are solidly connected outside of the shop.

Applicant traverses the rejections on "tension" : Prior art trucks are ALL placed in Compression: They use compression springs and the truck materials are compressed right down to the axle and wheels. If the axle itself "may" be in tension, nothing else is. There exists no teaching of a tension spring truck.

If no truck uses tension springs, only compression springs, then no prior art truck is in tension. Therefore, the instant teaching of a truck being placed into tension is novel. There is further NO motivation to make a tension spring truck as there is also no motivation to use low friction bearings nor motivation to teach changing trucks in the railyard.

As stated previously, lightweight trucks were designed once and proved too costly for the railroads to even care to buy. Thus, there exists no motivation

to design a tension truck out of lightweight aerospace type material. Clearly there is no such motivation for a lightweight, low-friction-bearing-using truck that is separable in the railyard.

Immediate allowance of all of the instant claims and the swift passing of the case to issue is respectfully requested.

The already-adjudged-allowable claims 4-5, 9, 11, 14-15 and 20 are still allowable as they now do depend upon clarified, allowable independent claims.

All claims are patentably distinct and instantly allowable with minimal changes. The only changes made are for the definiteness objections and to definitely bring the instant specification teaching clearly into the claims. The prior art does not read on the instant teaching; specification or claims.

Should examiner attempt to say that "low friction" requires a "new search" and therefore the claims are "not" instantly allowable, that contention is openly, instantly traversed and the following is hereby placed upon the written record:

37 CFR 1.104(b), MPEP.707.07 requires a FULL AND COMPLETE SEARCH. MPEP 707.07(g) requires "rejecting each claim on ALL valid grounds -- with full development of reasons rather than by mere conclusion coupled with some stereotyped expression." A FULL AND COMPLETE SEARCH must have included low friction bearings as this was ALREADY placed into the case and responded to by examiner. "Low friction" is part and parcel of "ALL valid grounds". Therefore, if "low friction" is considered a "new search", Applicant traverses Paper No. 6 as being in violation of code and demands a FULLY REPLACEMENT Action for No. 6.

As to "full development of reasons", Applicant finds absolutely no fault. Paper No. 6 is one of the better Actions he has ever seen in that respect.

The spec and drawings show roller bearings, ball bearings, bearing races, etc. The rule is that the claims are read in view of the specification. Therefore, bowls and pancakes, etc "bearings" are NOT to be read into the claims in the first place! The bearing types referred to in the spec are the search items. The claims really shouldn't have to be changed at all. By following the rule, as said in Paper No. 5, the existing original claims UNCHANGED distinguish.

Nevertheless if "low friction bearings" has not been searched after the full discussion already placed into the record about claim content, Paper No. 6 violates code, is traversed in its entirety and MUST be completely REPLACED.

This case is about changing trucks in the railyard and maintaining the trucks' positions enroute. A low friction type of bearing is what can be used to accomplish that task. This was already fully discussed in Paper No. 5. Based upon that discussion, examiner already knew the low-friction bearing content of the Independent claims. If all aspects of a claim are not searched, one cannot know all that is or is not allowable and must be rejected among those aspects. Thus, low-friction bearings should have ALREADY been searched—per the Code. That search is proper under code requiring rejecting on ALL aspects of the claim.

If the claims can —as written—UNCHANGED—be thought to claim BOTH high and low friction bearings, even tho 'high' is not in the spec, then Examiner's rejecting the claims based upon their high-friction content can be accepted.

However, because the claims already do have low-friction bearing content, low-friction bearing trucks MUST have ALREADY been searched in order to properly follow Code. Therefore, "low friction" does NOT require a new search.

Code requires rejecting on "ALL valid" claim content. To search only standard prior art, ignoring non-standard claim content, i.e.: "low friction", though unintentional, still violates Code. Violating code invalidates the Action.

Therefore, if "low friction" is thought to require a "new search" then Paper No. 6 is invalid for not having originally searched the existing low friction content of every independent claim. If so, Applicant fully and decidedly traverses Paper No. 6 as being Invalid. And a FULLY REPLACEMENT ACTION is REQUIRED.

Thus, the examiner is respectfully requested to instantly allow all Claims 1-23 and swiftly pass the case to issue.

Thank you. In propria persona, sui juris,
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